

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

This document relates to:

FEDERAL INSURANCE COMPANY, et
al,

Plaintiffs,

v.

AL QAIDA, et al.,

Defendants.

MDL No. 03 MD 1570 (RCC)

NO. 03 CV 6978 (RCC)

PLEASE TAKE NOTICE, that pursuant to Rule 12(b)(2), and on the basis of the affidavits attached hereto, the undersigned will move the Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order dismissing the First Amended Complaint against Rabita Trust for lack of personal jurisdiction.

As detailed in the accompanying Memorandum of Law, the Complaint must be dismissed against Rabita Trust because Plaintiffs have failed to plead and there is no evidence to prove that Rabita Trust has the necessary minimum contacts with the United States, such that this Court may exercise personal jurisdiction over it.

WHEREFORE, Defendant Rabita Trust respectfully requests that the Court grant its motion to dismiss.

Dated: Washington, DC
July 30, 2004

MARTIN MCMAHON & ASSOCIATES

By: _____ /s/
Martin F. McMahon, Esq., M.M., 4389
Christopher R. Smith, Esq., C.S., 5455
Martin McMahon & Associates
1150 Connecticut Ave., N.W.
Ste. 900
Washington, D.C. 20036
(202) 862-4343

Attorneys for Defendant Rabita Trust